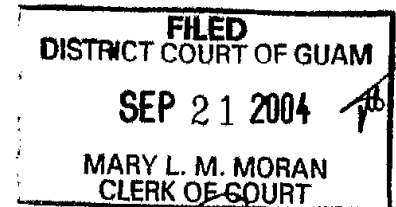


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Attorneys for Plaintiff
DAVID J. LUBOFSKY



IN THE U.S. DISTRICT COURT
OF GUAM

DAVID J. LUBOFSKY,

CIVIL CASE NO. 04-00031

Plaintiff,

vs.

GOVERNMENT OF GUAM; GOVERNMENT
OF GUAM RETIREMENT FUND

PLAINTIFF'S MOTION TO
CONTINUE SCHEDULING
CONFERENCE AND STATUS
REPORT PURSUANT TO
LR 16.1(e)

Defendants.

COMES NOW, Plaintiff DAVID J. LUBOFSKY, by and through his counsel of record, and requests a continuance of the Scheduling Conference currently set for September 23, 2004 at 3:00 pm, and provides the Court a status report pursuant to Local Rule 16.1(e) as follows:

MOTION TO CONTINUE SCHEDULING CONFERENCE AND STATUS REPORT

Plaintiff respectfully requests that the Scheduling Conference currently set for September 23, 2004 at 3:00 pm be continued as the Defendants have not yet been served. Plaintiff is attempting to settle this matter with the Defendants in the near future. Plaintiff has a hearing this Friday, September 24, 2004 at the Government of Guam Retirement Fund regarding his medical disability retirement application.

Lubofsky v. Government of Guam, CIV 04-00031
Motion for Continuance and Status Report
September 20, 2004

Depending on the outcome of same, the above-captioned matter may be able to be settled. Plaintiff intends to serve the Defendants next week if the matter cannot be resolved.

CONCLUSION

Based on all of the foregoing, Plaintiff DAVID J. LUBOFSKY respectfully requests this honorable Court to continue the Scheduling Conference currently set for September 23, 2004 at 3:00 pm for an additional 45 days from the aforementioned date.

Respectfully Submitted,

LAW OFFICES OF GORMAN & GAVRAS

Date: September 20, 2004

BY:

A handwritten signature in black ink, appearing to read 'A. Gorman', with a long, sweeping horizontal line extending to the right.

A. ALEXANDER GORMAN, ESQ.
Attorneys for Plaintiff
DAVID J. LUBOFSKY